

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

James Wiley

Case No. Case: 2:23-mj-30489

Assigned To : Unassigned

Assign. Date : 12/13/2023

USA V. SEALED MATTER (CMP)(CMC)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 30, 2023 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 922(g)

Felon in Possession of Ammunition

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: December 13, 2023

City and state: Detroit, MI

*Complainant's signature*

Neil Gavin, Special Agent, FBI

Printed name and title*Judge's signature*

Hon. Kimberly G. Altman, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Neil Gavin, having been duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation and have been so employed since March 2004. I have experience in the investigation, apprehension, and prosecution of individuals involved in federal criminal offenses. I am currently assigned to the Detroit FBI Violent Gang Task Force (“VGTF”) and conduct investigations into street gangs committing various violations of federal law, to include narcotics and weapons trafficking and violent crime. Prior to my current assignment, I was assigned to the Kansas City FBI where I conducted investigations involving narcotics and weapons trafficking, violent gangs, and violent crime. For most of my career, I have conducted investigations into violent street gangs. I have experience investigating gangs and the violations of federal law associated with gang-related crime. These violations include narcotics trafficking, weapons trafficking, violent crimes such as assaults and murders, and other crimes related to racketeering enterprises.

2. This affidavit is being submitted in support of a criminal complaint alleging that JAMES WILEY has violated 18 U.S.C. § 922(g) (Felon in Possession of Ammunition).

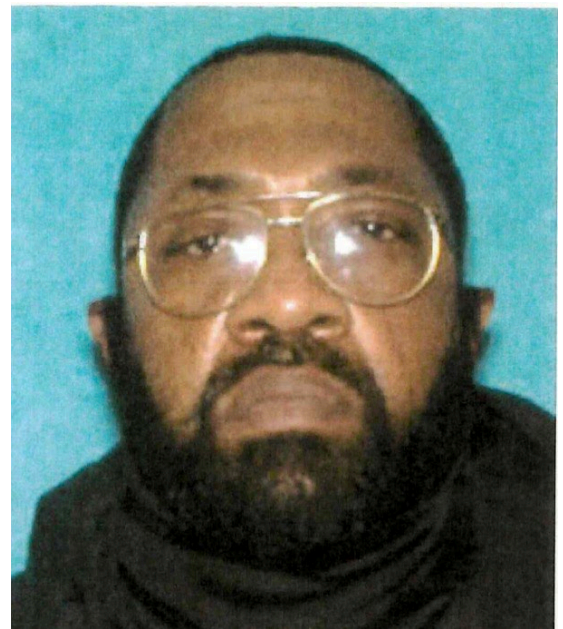
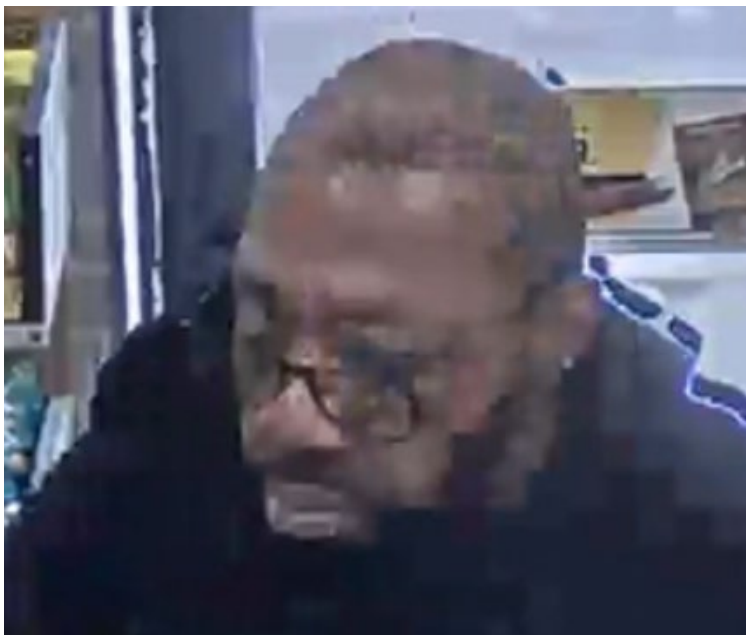
3. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging WILEY

with the above-listed violation, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe the defendant committed the offense alleged in the complaint.

4. On October 30, 2023, at approximately 2:30p.m., Detroit police officers responded to the Amoco gas station at 14441 East Warren Avenue in the city of Detroit. When officers arrived, they found the victim, sitting on the ground, with an apparent gunshot wound to his right ankle. While the victim was being treated for the wound, he told the officers that he had gotten into an argument with someone at the gas station and the person got a pistol and shot him.

5. The gas station was equipped with “Green Light” video surveillance cameras. Officers reviewed footage from inside and outside of the gas station. The video revealed the victim in an argument with a bald black male, medium complexion, wearing a dark top and dark pants, who was later identified as JAMES WILEY. The footage further revealed the victim and WILEY exchange words in the parking lot of the gas station, with WILEY drawing a black pistol from his waistband and firing two shots at the victim.

6. I have reviewed the surveillance footage from the gas station and compared the individual observed at the gas station firing the gun to a driver's license photograph of JAMES WILEY. Based upon my observations from the video, it is my belief that WILEY is the individual observed shooting the victim. Below are three still images from the gas station video, along with a driver's license photograph of WILEY.



7. Directly after the shooting, police searched the area in the parking lot where the shooting had occurred and recovered two spent .40 caliber casings, manufactured by Blazer Ammunition.

8. On November 15, 2023, Special Agent Michael Jacobs, an interstate nexus expert with the Bureau of Alcohol, Tobacco, and Firearms, reviewed a photograph of the Blazer ammunition .40 caliber casings and advised they were manufactured outside the State of Michigan, and therefore have traveled in or affected interstate commerce.

9. On December 12, 2023, while conducting surveillance on WILEY's listed residence, I observed WILEY walk from his vehicle into his residence. WILEY matched the same physical description and appearance as the individual captured on the gas station surveillance footage on October 30, 2023.

10. WILEY was convicted of a crime punishable by more than one year of incarceration prior to October 30, 2023. Specifically, WILEY has the following felony convictions:

- On September 27, 1985, WILEY was sentenced in the 3rd Circuit Judicial Court in Wayne County, Michigan (case number 85-01663) to 8-20 years in the Michigan Department of Corrections for assault with intent to murder and assault with intent to rob while armed. WILEY was also

sentenced to 2 years in the Michigan Department of Corrections for felony firearm.

- On June 10, 2019, WILEY was sentenced after he plead guilty to Felony Firearm; 3rd Circuit Judicial Court in Wayne County, Michigan, case number 1800033601. WILEY was sentenced to 2 years in the Michigan Department of Corrections.

11. Based on the above, there is probable cause to believe that on October 30, 2023, WILEY unlawfully possessed ammunition, in violation of 18 U.S.C. § 922(g).

Respectfully submitted,



Neil Gavin
Special Agent, FBI

Sworn to before me and signed in my presence and/or by reliable electronic means.



Honorable Kimberly G. Altman
United States Magistrate Judge

Date: December 13, 2023